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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/662,239

09/16/2003

Brian J. O'Neal

2422

7590

07/12/2006

James D. Givnan, Jr.  
8175 S. W. Ernst Road  
Portland, OR 97225

EXAMINER

TA, THO DAC

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 07/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/662,239

Applicant(s)

O'NEAL, BRIAN J.

Examiner

Tho D. Ta

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9/16/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Cornog et al. (6,501,197).

In regard to claim 1, Cornog et al. discloses an electrical supply system for a hand-held electric tool 30 having a receptacle 33 with electrical contacts, the system comprising, a battery pack 23 including attachment means 22 for supported engagement with a support 20 remote from the hand-held electric tool 30, an electrical cord 15 several feet in length served by the battery pack 23, and an electrical connector 14 having a pair of contacts in circuit with the battery pack 23 via the cord 15 for engagement with the electrical contacts on the hand held electric tool 30.

In regard to claim 2, Cornog et al. discloses an electrical supply system for a cordless electric hand held tool 30, the system comprising, an electrical connector 14 having a connector plug having electrical contacts for inserted engagement with the electric hand tool 30 and with internal contacts in the tool 30, a battery pack 23, an electrical cord 15 several feet in length in circuit with the battery pack 23 and with the

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connector plug electrical contacts, and support means 22 for confining the battery pack 23 in place on a support 20.

In regard to claim 3, Cornog et al. discloses that the support means 22 is a clip on the battery pack 23 for supported engagement with a workman's attire 20.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Gass et al. (6,536,536).

In regard to claim 1, Gass et al. discloses an electrical supply system for a hand-held electric tool 90 having a receptacle 60 with electrical contacts, the system comprising, a battery pack 54 including attachment means 103 for supported engagement with a support (see column 8, lines 8-19) remote from the hand-held electric tool 90, an electrical cord 102 several feet in length served by the battery pack 54, and an electrical connector 104 having a pair of contacts in circuit with the battery pack 54 via the cord 102 for engagement with the electrical contacts on the hand held electric tool 90.

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In regard to claim 2, Gass et al. discloses an electrical supply system for a cordless electric hand held tool 90, the system comprising, an electrical connector 104 having a connector plug 108 having electrical contacts for inserted engagement with the electric hand tool 90 and with internal contacts in the tool 90, a battery pack 54, an electrical cord 102 several feet in length in circuit with the battery pack 54 and with the connector plug electrical contacts, and support means 103 for confining the battery pack 54 in place on a support (see column 8, lines 8-19).

In regard to claim 3, Gass et al. discloses that the support means 103 is a clip on the battery pack 54 for supported engagement with a workman's attire (see column 8, lines 8-19).

In regard to claim 4, Gass et al. discloses that the electrical connector 104 includes latches 112 for engagement with the electric hand-held tool 90 at 56.

In regard to claim 5, Gass et al. discloses that the battery pack 54 includes a power plug 58 with the pair of electrical contacts on the power plug 58.

In regard to claim 6, Gass et al. discloses that the electrical cord 102 includes a socket 106 for detachable engagement with the power plug 58.

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In regard to claim 7, Gass et al. discloses that the electrical cord 102 includes a socket 106 for detachable engagement with the battery pack 54.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cornog et al. in view of Schaefer (5,993,240).

Cornog et al. does not disclose that the electrical connector 14 includes latches for engagement with the electric hand-held tool 30.

Schaefer discloses that the electrical connector 24 includes latches 34 for engagement with a mating connector.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Cornog et al. by constructing the connector 14 with latches as disclosed by Schaefer in order to provide a reliable electrical connection.

7. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cornog et al. in view of Hrabal (6,616,300).

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Cornog et al. does not that the battery pack includes a power plug with the pair of electrical contacts on the power plug, wherein the electrical cord includes a socket for detachable engagement with the power plug.

Hrabal discloses that the battery pack 22 includes a power plug 48 with the pair of electrical contacts (this is inherent) on the power plug 48, wherein the electrical cord 60 includes a socket 62 for detachable engagement with the power plug 48.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Cornog et al. by constructing the ends of the electrical cord as disclosed by Hrabal in order to conveniently attach and detach the cord, thus saving the assembly time.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tho D. Ta whose telephone number is (571) 272-2014. The examiner can normally be reached on M-F (8:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (571) 272-2800 ext 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



THO D. TA  
PRIMARY EXAMINER